

REMARKS/ARGUMENTS

Claims 1-9 remain in this application.

Rejections of Drawings

Applicant respectfully submits that the specification adequately describes “said warning triangle in the fold-up position”. As indicated at page 3, paragraph 0014 of the specification,

“In the preferred embodiment of the invention, the vehicle 1 is equipped with at least two fold-up warning triangles 2. . . . The warning triangles 2 preferably have a compact rectangular shape when folded up, as seen in Figure 1.”

Hence, one of ordinary skill would understand that the triangle folds up into a rectangular shape for storage.

Claim 2 indicates that reflector material is on one of three legs of said fold-up triangle. Applicant respectfully submits that the material can be any one of the legs. Hence, one of ordinary skill could easily determine the structure based on the drawings and teachings provided.

Claim Objection

Claim 7 has been amended to correct the antecedent basis.

Rejections Under 35 USC 112

Applicant respectfully submits that claim 1 does not merely refer to “triangle” but to a “triangle in a folded-up position”. Hence, Applicant has merely described and claimed the device descriptively.

Rejections Under 35 USC 103


The references as cited do not describe a motor vehicle designed to carry a fold-up warning triangle as claimed. One of ordinary skill would have no motivation to combine the elements set forth in the references to obtain the claimed invention.

Application No. 09/883,888
Reply to Office Action dated November 20, 2002

The Commissioner is hereby authorized to charge any additional fees which may be required in this application to Deposit Account No. 06-1135.

Respectfully submitted,

FITCH, EVEN, TABIN & FLANNERY

By 
James P. Krueger
Registration No. 35,234

Date: NOV 17 2003

FITCH, EVEN, TABIN & FLANNERY
120 S. LaSalle Street, Suite 1600
Chicago, Illinois 60603
Telephone: (312) 577-7000